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09/627,741	07/28/2000	Jean Francois Le Pennec	FR9-1999-0108-US1	2788

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EXAMINER

EDELMAN, BRADLEY E

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 04/20/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/627,741

Applicant(s)

LE PENNEC ET AL.

Examiner

Bradley Edelman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This action is in response to Applicant's request for continued examination filed on February 4, 2004. Claims 1-10 are presented for further examination. Note, pursuant to Applicant's Interview Request under 37 C.F.R. § 1.133, Examiner contacted Applicant to arrange an interview, but the parties were unable to set up an interview before completion of this Office action.

Specification

1. The disclosure is objected to because of the following informalities: the disclosure still contains numerous grammatical errors and/or confusingly worded phraseology that is difficult to understand. Examiner appreciates Applicant's attempt to correct such errors in the previous amendments. However, numerous errors still remain.

The following is a list of some of the errors:

a. Page 2, lines 9-11 state, "The limitation is that the provider should have implemented this feature, which anyway limits the number of web locations that can be looked at." This phrase is unclear because it is not clear what "feature" is being referred to, and the word "anyway" in its context is confusing.

b. Page 6, line 4 states, "the portal server 20 is defined by the user accessing it though workstation...." The word "though" is incorrect here. In addition, regarding the term "is defined," it does not appear from the context of the specification that the user actually defines a portal server.

c. Page 6, line 12 states "the user can build its own portal page...." This contains incorrect grammar. The use of the word "its" appears incorrectly in other locations within the disclosure.

d. On page 9, line 2, the phrase, "adding information field to the portal" contains incorrect grammar.

e. The sentence on page 5, lines 1-5 appears to be a run-on sentence and is confusing as it stands.

f. The word "teh" on line 2 of the first paragraph of page 3, as amended, is spelled incorrectly.

g. The phrase "from any workstation 22 couple to the web" on lines 3-4 of the second full paragraph on page 4, as amended, contains incorrect grammar.

h. The phrase "owing to the PC browser mode" on lines 2-3 of the second paragraph on page 9, as amended, is confusing and appears to contain incorrect word usage.

Appropriate correction or adequate explanations clarifying the confusing language is required.

2. The amendment filed July 16, 2003 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

a. The amendment to the third paragraph on page 5 changed the word "meteo" on line 5 of the paragraph to "meta." Examiner believes this constitutes new matter. The specification as originally filed neither mentioned nor suggested the use of meta information. Examiner believes that the term "meteo" as originally filed refers to "meteorological" or "weather" information. Support for this interpretation comes from Figure 3, which shows a "weather forecast." However, there is no support in the original specification suggesting or teaching for storage of "meta information."

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Sugiarto et al. (U.S. Patent No. 6,278,449, hereinafter "Sugiarto").

In considering claim 1, Sugiarto discloses a server assisted system for accessing web page fields ("portions of one or more websites," col. 6, line 24) in which system a wireless PDA ("personal organizer," col. 3, line 25) communicates with an Internet

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network ("Internet," col. 4, line 5) through a wireless Internet gateway ("wireless link," col. 2, line 18), said server assisted system comprising:

A portal server ("system server 2," and "database server 8," col. 8, lines 25-26) coupled to the wireless Internet gateway and having a configuration for accessing resources of the Internet network (col. 8, lines 51-67 describes accessing resources through the server), said portal server comprising a user data base ("database 205," col. 8, line 26) containing at least identifying information enabling web page fields of web pages which have been graphically selected by a user of the wireless PDA to be retrieved (col. 8, lines 25-26; col. 7, line 56 – col. 8, line 9, describing the configuration files that allow a user to graphically select fields of web pages), and portal handling means for accessing said selected web page fields (col. 8, lines 51-67, describing accessing the selected web page fields); and

Portal browsing means disposed in said wireless PDA ("display screen 10 of handset 6," col. 4, line 30), said portal browsing means comprising a configuration for browsing said selected web page fields and retrieving at least one of said selected web page fields, and displaying means disposed in the wireless PDA and having a configuration for displaying said retrieved web page field in the wireless PDA (col. 8, line 34 – col. 9, line 1, describing selecting and displaying multiple of the fields on the PDA browser display).

In considering claim 2, Sugiarto further discloses that the portal handling means comprises a portal real time server ("system server 2") for accessing resources of said

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Internet network and for retrieving from said servers web page fields requested by said portal browsing means (col. 8, lines 51-67, describing that the server 2 receives requests from clients and retrieves the appropriate portions of web pages from servers on the Internet to assemble the user-customized page).

In considering claim 3, Sugiarto further discloses that the portal handling means further comprise a portal back server for periodically updating defined web page fields stored in said user database (col. 4, lines 11-53 describe that the fields could be "stock quotes," "latest scores," or "Headline News" taken from CNN, ESPN, or NASDAQ's web sites, such that each field thus constitutes a periodically updated field which would be inherently updated via a server).

In considering claim 4, Sugiarto further discloses that the portal real time server comprises a configuration for accessing the user data base before accessing the resources of the Internet network to determine whether said web page fields requested by said portal browsing means are within the defined web page fields being periodically updated (col. 8, lines 34-67, describing that the user sends requests first to the real time server, and that the real time server then accesses the database to determine the configuration so it can subsequently retrieve the desired updated web page fields from servers on the Internet).

In considering claim 5, Sugiarto further discloses that the system includes a PC web browser for accessing the resources of said Internet network and for browsing web pages selected by a user (col. 8, lines 34-36, "desktop computer system 9"), and a portal configuration for configuring selected web page fields before transferring them to said portal server, and wherein the portal server includes a user database builder for storing at least identifying information relating to the web page fields into the user database (col. 8, lines 24-26, 51-67, describing saving the configuration files in the database and using them to select the customized web page portions to deliver to the PC).

In considering claim 6, Sugiarto further discloses that the system includes a PDA web browser for accessing the resources of said Internet network, and for browsing web pages selected by a user (col. 8, lines 34-36, "handset 6"), and a PDA configuration for configuring selected web page fields before transferring them to said portal server, and wherein the portal server includes a user database builder for storing at least identifying information relating to the web page fields into the user database (col. 8, lines 24-26, 51-67, describing saving the configuration files in the database and using them to select the customized web page portions to deliver to the PC).

In considering claim 7, Sugiarto further discloses that the PC web browser has means for accessing a URL address of a selected web page, and means for selecting at least one of said URL web page fields ("hypertext links," col. 7, line 66), and means for

converting the selected URL web page fields into a format for being stored in the data base (col. 7, lines 49-55; col. 8, lines 24-26, "once all hypertext links are verified, system server 2 stores the configuration files in database 205 on database server 8").

In considering claim 8, Sugiarto further discloses that the PDA web browser has means for accessing a URL address of a selected web page, and means for selecting at least one of said URL web page fields ("hypertext links," col. 7, line 66), and means for converting the selected URL web page fields into a format for being stored in the data base (col. 7, lines 49-55; col. 8, lines 24-26, "once all hypertext links are verified, system server 2 stores the configuration files in database 205 on database server 8").

In considering claim 9, Sugiarto further discloses that the portal browsing means in the PDA includes input means for selecting at least one web page field stored in the user data base of the portal server in order to display said at least one web page field in said PDA display means (col. 9, lines 30-35, wherein a user can select one of the fields using the browser and can display another page related to that field).

In considering claim 10, Sugiarto further discloses that the input means includes means for modifying the at least one web page field being displayed by said PDA display means to view only one field among said at least one web page field previously displayed (col. 9, lines 30-35, wherein a user can select one of the fields using the browser and can display another page related to that field).

Response to Arguments

4. Examiner has considered Applicants arguments regarding the claims as amended in the amendment filed on January 2, 2004. Examiner finds these arguments persuasive, and has thus withdrawn the rejections over Baber. Nonetheless, after further consideration of the claims and the prior art, Examiner has applied the new grounds of rejection described above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is (703) 306-3041. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on (703) 305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

For all After Final papers: (703) 746-7238.

For all other correspondences: (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Bradley Edelman

BE
April 17, 2004